

### **REMARKS**

Claims 1, 2, 5-7, 10, 11, 13, 15, 16, 18, 37-39, 44, 45, 51, 52, 54, 58-63, and 69-73 are pending. Claims 5, 6, 10, 11, 60, 62, 63, 69, and 71-73 are withdrawn. Claims 1 and 2 are amended. Claims 3-4, 8-9, 12, 14, 17, 19-36, 40-43, 46-50, 52, 54-57, and 64-68 are canceled.

As an initial matter, Applicants appreciate the consideration of the Examiner and of the Examiner's supervisor, David Nguyen, for the interviews granted on November 21, 2011.

### **Applicant's Claims Properly Recite the Elected species.**

In the Action, the Examiner alleges that Applicant's amendment filed September 14, 2011 is non-responsive because the claims no longer read on the elected invention. Applicants respectfully disagree. Applicants' response was proper because the claims as amended still read on the elected invention.

In the Restriction Requirement mailed September 20, 2010, Applicants elected the invention of Group I, drawn to a method for detecting a neoplasia using **at least two promoters**, GSTP1 and a second promoter selected from those promoters listed in claim 1. The Examiner further required a species election from among the promoters listed in claim 1. In response, Applicant elected APC. Thus, the original election required **GSTP1 and APC**.

As amended, Applicants claims are directed to methods for detecting a neoplasia in a biologic sample by quantifying the promoter methylation of **GSTP1, APC**, RASSF1A, and CRBP1. Therefore, as amended, Claim 1 **continues** to read on the elected invention and the elected species because it still recites **GSTP1 and APC**. Thus, Applicants' amendment filed September 14, 2011 was proper and does not read on a non-elected invention. Applicants note that Markers RASSF1A and CRBP1 were recited in claim 2, which depends from claim 1, and which falls within Group I.

### **Interview Request**

Applicant respectfully requests that the Examiner reconsider her position in this matter. If the Examiner intends to send out a further Notice of Non-responsive Amendment, Applicants

respectfully request an interview with the Examiner and her supervisor, David Nguyen, to discuss this matter.

**CONCLUSION**

Applicants believe all formalities have been complied with and a complete response has been submitted.

The Director is hereby authorized to charge any credits or deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Order No. 62933 (71699).

Dated: November 21, 2011

Respectfully submitted,  
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